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SERVICE DATE - APRIL 8, 2002

Surface Transportation Board

Washington, DC 20423-0001

April 3, 2002

STB Finance Docket No. 33407

**DAKOTA, MINNESOTA & EASTERN RAILROAD CORPORATION
CONSTRUCTION INTO THE POWDER RIVER BASIN**

N O T I C E

A court action, entitled as shown below, was

instituted on or about April 1, 2002,

involving the above proceeding:

No. 02-1804¹

Michael J. LaPlante

v.

Surface Transportation Board and United States of America

before the

United States Court of Appeals for the Eighth Circuit

VERNON A. WILLIAMS

Secretary

¹ The above-entitled case has been consolidated with Nos. 02-1359, 02-1481, 02-1482, 02-1767, 02-1774, 02-1785, 02-1792 and 02-1794.